

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

OTO ANALYTICS, LLC,

Plaintiff,

v.

BENWORTH CAPITAL PARTNERS PR
LLC, BENWORTH CAPITAL PARTNERS
LLC, BERNARDO NAVARRO and
CLAUDIA NAVARRO,

Defendants.

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Civil Action No. 23-01034 (GMM)

**PLAINTIFF OTO ANALYTICS, LLC'S NOTICE OF SERVICE BY PUBLICATION ON
DEFENDANTS BERNARDO NAVARRO AND CLAUDIA NAVARRO**

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Attorneys for Plaintiff Oto Analytics, LLC

August 21, 2023

TO THE HONORABLE COURT:

COMES NOW Plaintiff Oto Analytics, LLC (f/k/a Oto Analytics, Inc. d/b/a Womply) (“**Womply**”), and respectfully requests that this Court take notice that Defendants Bernardo Navarro (“**Mr. Navarro**”) and Claudia Navarro (“**Ms. Navarro**”; together with Mr. Navarro, the “**Navarros**”), have been served by publication.

1. On July 17, 2023, this Court granted Womply’s Motion for Leave to Serve by Publication Defendants Bernardo Navarro and Claudia Navarro. (ECF No. 77.)

2. In accordance with this Court’s Order, on July 21, 2023, the Summons by Publication against the Navarros was published in *El Nuevo Día* newspaper, a newspaper of general circulation in Puerto Rico. Attached hereto as **Exhibit A** is an affidavit executed by Yaritza Perez Rivera, an *El Nuevo Día* employee, and a copy of the published summons.

3. On July 24, 2023, within ten days of publication of the Summons, a copy of the Complaint, this Court’s Order allowing Summons by Publication, the Summons by Publication, and the notice published in the newspaper were sent to the Navarros at their last known addresses in both Dorado, Puerto Rico, and Coral Gables, Florida, via certified mail with return receipt requested.

4. Attached hereto as **Exhibit B** are copies of the letter sent to the Navarros at their Coral Gables, Florida, address and the certified mail receipt.

5. Attached hereto as **Exhibit C** are copies of the letter sent to the Navarros at their Dorado, Puerto Rico, address, the certified mail receipt, and the return receipt. The return receipt shows that the letter was delivered on August 10, 2023.

6. On August 16, 2023, the Navarros represented to this Court that “[o]n August 10, 2023, Mr. and Mrs. Navarro received a copy of the summons published in *El Nuevo Día* newspaper

on July 21, 2023, the Court's order granting leave for summons by publication, and a redacted version of the Complaint." (ECF No. 82 ¶ 1.)

7. Under Federal Rule of Civil Procedure 4 and Puerto Rico Rule of Civil Procedure 4.6, the Navarros' deadline to answer the Complaint or otherwise plead expires on August 21, 2023, that is, 30 days after publication of the summons. On August 17, 2023, this Court granted the Navarros' request to extend this deadline to August 31, 2023. (ECF Nos. 82–83.)

WHEREFORE, Womply requests that this Court take notice of its compliance with the requirements for Service by Publication on the Navarros.

Dated: August 21, 2023

Of Counsel:

Willkie Farr & Gallagher LLP

Respectfully submitted,

By: Alexander L. Cheney

By: Alejandro J. Cepeda Diaz

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CERTIFICATE OF SERVICE

The undersigned certifies that on August 21, 2023, the foregoing document was filed with the Clerk of the Court using CM/ECF, which sent notices to all parties receiving notifications through the CM/ECF system.

Dated: August 21, 2023

By: /s/ Alejandro J. Cepeda Diaz

Attorney for Plaintiff Oto Analytics, LLC